



STATE OF WASHINGTON  
WASHINGTON STATE BOARD OF HEALTH  
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October 15, 2003

**TO:** Washington State Board of Health Members  
**FROM:** Carl Osaki, Member  
**RE: PROPOSED CREATION OF A SEPARATE CHAPTER FOR LARGE ONSITE SEWAGE SYSTEMS, CHAPTER 246-272B WAC**

**Summary**

RCW 43.20.050(2)(b) directs the Board to:

*Adopt rules and standards for prevention, control, and abatement of health hazards and nuisances related to the disposal of wastes, solid and liquid, including but not limited to sewage.... And to adopt standards and procedures governing the design, construction, and operation of sewage ... waste collection, treatment, and disposal facilities.*

Rules for large and small onsite sewage systems are currently combined in Chapter 246-272 WAC. The Department of Health (DOH) recommended creating a separate chapter for large onsite sewage systems (LOSS) to simplify rule revision processes. In May I directed Board staff to sign a CR-101 to explore creating a new chapter that would contain those parts of Chapter 246-272 WAC applicable to LOSS, without any material changes. The version of Chapter 246-272B WAC heard in July omitted a few sections applicable to LOSS. One was WAC 246-272-07001, relating to local health officers' ability to require a failed LOSS to connect to a public sewer system. The LOSS chapter heard today contains all applicable sections of the original chapter.

Currently a rule development committee is working on substantive changes to the parts of Chapter 246-272 WAC that are applicable to smaller onsite systems. The Board heard an update on this rule development process at its May 14 meeting, and expects to hear a report from the Onsite Rule Development Committee at its January 14, 2004 meeting. Creating a separate LOSS chapter would allow adoption of a completely revised Chapter 246-272A WAC, expected in summer 2004.

Once a separate LOSS chapter is adopted and effective, DOH expects to file a new CR-101 to initiate the rule development processes for substantive changes to this chapter. This process will include somewhat different stakeholders and address different combinations of agency jurisdictions and issues.

Today the Board is scheduled to hold a public hearing on the proposed creation of Chapter 246-272B in WSR 03-18-091. As of October 8, 2003, DOH and the Board have not received any public comment on this proposal.

**Recommended Board Action**

I recommend the Board consider the following motion:

***The Board adopts the the creation of Chapter 246-272B WAC as proposed in the CR-102 (WSR 03-18-091) and directs the executive director to file a CR-103 accordingly.***

Attachments